

REMARKS

Upon entry of this Response, claims 1-31 will be canceled and claims 32-58 will be added. These changes have been made solely to expedite prosecution of the present application, and Applicants reserve the right to pursue the subject matter of the originally filed claims in this application and in other applications. No new matter has been added.

Claims 1-31 are rejected as being anticipated by Haines et al. (US 2002/0073148 A1).

Haines discloses a self-adjusting order assistance system. For example, a Personal Computer (PC) may receive information from a printer, and use that information to automatically generate orders for consumable items (e.g., to order more paper or ink). Applicants respectfully request reconsideration in view of the following remarks.

Haines Does Not Disclose or Suggest a Request Transmitted to a Device Physically Associated with the Consumable Item

Newly added claim 32 recites that a consumable item is received at a consuming device. Moreover, the consuming device transmits a request "to a device physically associated with the consumable item." The device may be, for example, mounted in or attached to a consumable item package or dispenser. By way of example, a printer might transmit a request to a cartridge that contains ink.

Nothing in Haines discloses or suggests such a feature. Rather, in Haines a computer peripheral (e.g., a printer) transmits information that lets an order for a consumable item be automatically generated (e.g., an email indicating that more ink should be purchased). Nowhere in Haines is a request transmitted to a device physically associated with the consumable item as recited in newly added claim 32. All of the newly added claims contain similar elements and reconsideration of this rejection is respectfully requested.

Haines Does Not Disclose or Suggest an Executable Consumption Program

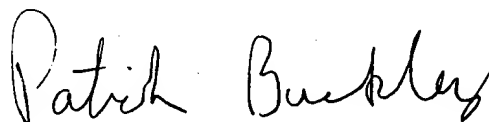
In addition, claim 32 recites "in response to the request, obtaining at the consuming device an executable consumption program, the executable consumption program to facilitate consumption of the consumable item by the consuming device." For example, a printer may receive a software patch or driver associated with how ink is consumed.

Such a feature is not remotely disclosed or suggested by Haines. Haines does not address an executable consumption program (e.g., a software patch) nor that such a program will be obtained in response to a request transmitted to a device physically associated with a consumable item. All of the newly added claims contain similar elements and allowance of the claims is respectfully suggested.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-0191.

Respectfully submitted,



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Date

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